

AMENDED IN SENATE JUNE 29, 2009

AMENDED IN ASSEMBLY JUNE 2, 2009

AMENDED IN ASSEMBLY APRIL 2, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1310

Introduced by Assembly Member Hernandez

February 27, 2009

An act to add Section 857 to the Business and Professions Code, *and to add Section 128051.5 to the Health and Safety Code*, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1310, as amended, Hernandez. Healing arts: database.

Existing law provides for the licensure and regulation of various healing arts professions and vocations by boards within the Department of Consumer Affairs. Under existing law, there exists the Healthcare Workforce Development Division within the Office of Statewide Health Planning and Development (OSHPD) that supports health care accessibility through the promotion of a diverse and competent workforce and provides analysis of California's health care infrastructure. Under existing law, there is also the Health Care Workforce Clearinghouse, established by OSHPD, that serves as the central source for collection, analysis, and distribution of information on the health care workforce employment and educational data trends for the state.

This bill would require ~~the Medical Board of California and the Board of Registered Nursing~~ *certain healing arts boards* to add and label as "mandatory" ~~specified fields on an application for initial licensure or~~

~~a renewal form for applicants applying to those boards collect specified information from their licensees and would require those boards and the Department of Consumer Affairs to, as much as practicable, work with OSHPD to transfer that data to the Health Care Workforce Clearinghouse. The bill would further require the department OSHPD, in consultation with the division and the clearinghouse department, to select a database and to also add some of the collected data collected in these applications and renewal forms to the database and to submit the data to the clearinghouse annually on or before January 1. The bill would require the clearinghouse to prepare a written report relating to the data and to submit the report annually to the Legislature no later than March 1, commencing March 1, 2012.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 857 is added to the Business and
- 2 Professions Code, to read:
- 3 857. (a) ~~Each~~ Every healing arts board specified in subdivision
- 4 ~~(e) shall add and label as "mandatory" the following fields on an~~
- 5 ~~application for initial licensure or renewal for a person applying~~
- 6 ~~to that board:~~
- 7 ~~(1) First name, middle name, and last name.~~
- 8 ~~(2) Last four digits of social security number.~~
- 9 ~~(3) Complete mailing address.~~ (f) shall, in a manner deemed
- 10 appropriate by the board, collect the following information from
- 11 persons licensed, certified, registered, or otherwise subject to
- 12 regulation by that board:
- 13 ~~(4)~~
- 14 (1) Educational background and training, including, but not
- 15 limited to, degree, related school name and location, and year of
- 16 graduation, and, as applicable, the highest professional degree
- 17 obtained, related professional school name and location, and year
- 18 of graduation.
- 19 ~~(5)~~
- 20 (2) Birth date and place of birth.
- 21 ~~(6)~~
- 22 (3) Sex.
- 23 ~~(7)~~

1 (4) Race and ethnicity.

2 ~~(8)~~

3 (5) Location of high school.

4 ~~(9) Mailing address of primary practice, if applicable.~~

5 ~~(10)~~

6 (6) Number of hours per week spent at primary practice location,
7 if applicable.

8 ~~(11)~~

9 (7) Description of primary practice setting, if applicable.

10 ~~(12)~~

11 (8) Primary practice information, including, but not limited to,
12 primary specialty practice, practice location ZIP Code, and county.

13 ~~(13)~~

14 (9) Information regarding any additional practice, including,
15 but not limited to, a description of practice setting, practice location
16 ZIP Code, and county.

17 ~~(b) The department, in consultation with the Healthcare~~
18 ~~Workforce Development Division and the Health Care Workforce~~
19 ~~Clearinghouse, shall select a database and shall add the data~~
20 ~~specified in paragraphs (5) to (13), inclusive, of subdivision (a) to~~
21 ~~that database.~~

22 ~~(c) The following boards are subject to subdivision (a):~~

23 ~~(1) The Medical Board of California.~~

24 ~~(2) The Board of Registered Nursing.~~

25 ~~(d) (1) The department shall collect the specified data in the~~
26 ~~database pursuant to subdivision (b) and shall submit that data to~~
27 ~~Health Care Workforce Clearinghouse annually on or before~~
28 ~~January 1.~~

29 ~~(2) The Health Care Workforce Clearinghouse shall prepare a~~
30 ~~written report containing the findings of this data and shall submit~~
31 ~~the written report annually to the Legislature no later than March~~
32 ~~1, commencing March 1, 2012.~~

33 *(b) The information collected pursuant to this section shall be*
34 *used for the purpose of measuring and evaluating the state's health*
35 *care workforce development needs. For this purpose, the*
36 *department and the boards specified in subdivision (f) shall, as*
37 *much as practicable, work with the Office of Statewide Health*
38 *Planning and Development to transfer the data collected pursuant*
39 *to this section to the Health Care Workforce Clearinghouse.*

1 (c) Personally identifiable information collected pursuant to
2 this section shall be confidential and not subject to public
3 inspection.

4 (d) A board that collects information pursuant to this section
5 shall state in a conspicuous manner that reporting the information
6 is not a condition of license renewal, and that no adverse action
7 will be taken against any licensee that does not report any
8 information.

9 (e) A board that collects information pursuant to this section
10 shall do so in a manner that minimizes any fiscal impact, which
11 may include, but is not limited to, sending the request for
12 information in a renewal notice, a regular newsletter, via electronic
13 mail, or posting the request on the board's Internet Web site, and
14 by allowing licensees to provide the information to the board
15 electronically.

16 (f) The following boards are subject to this section:

17 (1) The Acupuncture Board.

18 (2) The Dental Hygiene Committee of California.

19 (3) The Dental Board of California.

20 (4) The Medical Board of California.

21 (5) The Bureau of Naturopathic Medicine.

22 (6) The California Board of Occupational Therapy.

23 (7) The State Board of Optometry.

24 (8) The Osteopathic Medical Board of California.

25 (9) The California State Board of Pharmacy.

26 (10) The Physical Therapy Board of California.

27 (11) The Physician Assistant Committee, Medical Board of
28 California.

29 (12) The California Board of Podiatric Medicine.

30 (13) The Board of Psychology.

31 (14) The Board of Registered Nursing.

32 (15) The Respiratory Care Board of California.

33 (16) The Speech-Language Pathology and Audiology Board.

34 (17) The Board of Vocational Nursing and Psychiatric
35 Technicians of the State of California.

36 (18) The Board of Behavioral Sciences.

37 SEC. 2. Section 128051.5 is added to the Health and Safety
38 Code, to read:

39 128051.5. (a) The Office of Statewide Health Planning and
40 Development shall, in consultation with the Healthcare Workforce

1 *Development Division and the Department of Consumer Affairs,*
2 *select a database and shall add the data collected pursuant to*
3 *Section 857 of the Business and Professions Code to that database.*
4 *(b) The Health Care Workforce Clearinghouse shall prepare a*
5 *written report containing the findings of this data and shall submit*
6 *the written report annually to the Legislature no later than March*
7 *1, commencing March 1, 2012.*

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